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|   |   |    |   | Application Number       | Not yet known       |
|   |   |    |   | Filing Date              | March 23, 2004      |
|   |   |    |   | First Name Inventor      | Andreas G. Kunschke |
|   |   |    |   | Group Art Unit           | Not yet known       |
|   |   |    |   | Examiner Name            | Not yet assigned    |
| Sheet   | 1 | of | 1 | Attorney Docket Number   | 043336-9026-00      |

| U.S. PATENT DOCUMENTS |  |                             |   |                                       |
|-----------------------|--|-----------------------------|---|---------------------------------------|
| Examiner Initials     |  | U.S. Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document |
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| FOREIGN PATENT DOCUMENTS |   |              |                                |   |                                       |             |                  |
|--------------------------|---|--------------|--------------------------------|---|---------------------------------------|-------------|------------------|
| Examiner Initials        |   | Country Code | Foreign Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document | Translation | English Abstract |
|                          | * |              | DE 299 14 034                  | KHS Masch & Anlagenbau AG.                      | 12-16-1999                            |             |                  |
|                          |   |              |                                |   |                                       |             |                  |

\*Statement of Relevance attached.

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|  |   |    |   | Group Art Unit           | Not yet known       |
|  |   |    |   | Examiner Name            | Not yet assigned    |
| Sheet  | 1 | of | 1 | Attorney Docket Number   | 043336-9026-00      |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |   |  |
|---|---|--|
| Examiner<br>Initials                              |   | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc. ), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published. |
|   | * | Industrial Dynamics Company, Ltd. "LASETEC Laser Printing System" Product Brochure.  |
|   | * | Fig. A: Photograph of a pivotable connection known to be used in prior art labeler assemblies.   |
|   | * | Fig. B: Photograph of a latch mechanism known to be used in prior art labeler assemblies.  |
|   | * | Fig. C: Photograph of a latch mechanism known to be used in prior art labeler assemblies.  |
|   | * | Fig. D: Photograph of an adjustment mechanism known to be used in prior art labeler assemblies.  |
|   |   |  |
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\*Statement of Relevance attached

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**Statement of Relevance for German Patent No. DE 299 14 034**

German Patent No. DE 299 14 034 (the “German Patent”) discloses a labeler assembly incorporating a pivotal label feeding device, or label magazine 1. The label magazine 1 is pivotally coupled to a base supporting a carousel 4, which individually removes the labels from the label magazine 1. The labels are subsequently applied to bottles moving through the labeler assembly. With reference to the lower portion of the only figure in the German Patent, the label magazine 1 illustrated in solid lines is shown in an operative position, and the label magazine shown in phantom lines is shown in a pivoted, non-operative position.

**Statement of Relevance for LASETEC Laser Printing System Product Brochure**

The LASETEC laser printing system product brochure is admitted prior art and discloses a vertically-mounted laser coder.

**Statement of Relevance for FIG. A**

FIG. A is a photograph of a pivotable connection known to be used in prior art labeler assemblies to pivot a label feeding device, or label magazine, away from a base supporting the label magazine.

**Statement of Relevance for FIG. B**

FIG. B is a photograph of a latch mechanism known to be used in prior art labeler assemblies to secure a pivotable label magazine to a base supporting the label magazine. As shown in FIG. B, the latch is released so that the label magazine is free to pivot with respect to the base.

**Statement of Relevance for FIG. C**

FIG. C is a photograph of a latch mechanism known to be used in prior art labeler assemblies to secure a pivotable label magazine to a base supporting the label magazine. As shown in FIG. C, the latch is engaged to secure the label magazine to the base.

### **Statement of Relevance for FIG. D**

FIG. D is a photograph of an adjustment mechanism (AM) known to be used in prior art labeler assemblies to support a laser coder (LC) thereon. The adjustment mechanism (AM) is supported by a base (BS1) which, together with the labeler assembly, is supported on a machine surface (MS). The machine surface (MS) is the top surface of a bottling machine, and the machine surface (MS) is elevated from a floor on which the entire bottling machine is situated. The base (BS1) of the adjustment mechanism (AM) is fixed (i.e., not movably coupled) to an aggregate housing or base (BS2) of the other components of the labeler assembly. The adjustment mechanism (AM) is operable to vertically adjust the laser coder (LC) along a vertical axis (VA), horizontally adjust the laser coder (LC) along a horizontal axis (HA), and rotate the laser coder (LC) about the vertical axis (VA).